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Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
April 5, 2013

**House Bill 6636, An Act Concerning The Collection Of Sexual Assault
Evidence From An Intoxicated Or Incapacitated Victim**

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch regarding **House Bill 6636, An Act Concerning The Collection of Sexual Assault Evidence from an Intoxicated or Incapacitated Victim**. The Judicial Branch applauds the initiative taken by Senator Cassano on this important issue, but respectfully submits that this bill is not necessary in light of action taken by the Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (Commission).

The Commission is broadly-charged with overseeing the collection of sexual assault evidence. It is chaired by the Chief State's Attorney's designee, and has a diverse membership, including representatives of the Permanent Commission on the Status of Women (PCSW), the Connecticut Sexual Assault Crisis Services (CONNSACS), the Connecticut Hospital Association (CHA), and the Judicial Branch's Office of Victim Services (OVS). In addition to the Commission's statutory charge, it is also guided by its *Technical Guidelines for Health Care Response to Victims of Sexual Assault*.

Today's bill would have the Commission study evidence collection in instances where the victim is unable to provide consent because he or she is intoxicated or otherwise incapacitated, and recommend statutory changes. Recently, representatives of the above-listed organizations met with the proponent to discuss efforts already underway by the Commission to amend the *Technical Guidelines* to address this issue,

and our unanimous belief that the *Technical Guidelines* is the proper place for the sensitive, precise language that is necessary to address evidence collection in these matters. The meeting was very fruitful, and again, we thank Senator Cassano for his leadership on this issue.

In light of the action already taken by the Commission, we would respectfully submit that this bill is no longer necessary, and we would ask the Committee not to act on it.

Thank you for the opportunity to submit written testimony on this bill.